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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

NINILCHIK CHARTERS, LLC, )  
)  
Plaintiff, )  
)  
vs. )  
)  
CATERPILLAR, INC., a Delaware )  
Corporation, )  
)  
Defendant. )  
) Case No. 3:04-cv-250 (TMB)

**AFFIDAVIT OF ROBERT WILKISON**

STATE OF ALASKA )  
) ss.  
THIRD JUDICIAL DISTRICT )

ROBERT WILKISON, under oath, deposes and states as follows:

1. I am the owner of Wilkie's Heavy Equipment Repair and Parts, Inc.
2. I have over 30 years experience working on Caterpillar engines in my own shop and as an employee of Caterpillar.
3. We have seen and rebuilt hundreds of Caterpillar 3208 engines in my shop.

Affidavit of Robert Wilkison  
NinilchikCharters, LLC vs. Caterpillar, Inc.  
Case No. 3:04-cv-250 (TMB)

**DAVIS, RANDALL, ANDERSON & MATHIS, P.C.**  
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4. I have seen many broken blocks and crankshafts in the Caterpillar 3208, 375 and above horsepower engines which you do not normally find in the same engines with a horsepower below 375.

5. Compared to all of the 3208 Caterpillar motors of 375 horsepower and above which have failed, I have seen and worked on a small percentage.

6. Given the experience in my shop, Caterpillar has to have worked on many more Caterpillar 3208 engines, 375 horsepower and above, than my company.

7. I have seen repeated problems and/or defects in the Caterpillar 3208 engines with a horsepower of 375 or above.

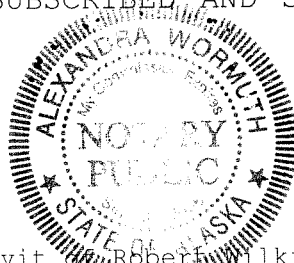
8. Based upon my experience, Caterpillar has also seen and knows about repeated problems and/or defects in the 375 horsepower and above Caterpillar 3208 engines.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 25th day of April, 2006, at Anchorage, Alaska

  
ROBERT WILKISON

SUBSCRIBED AND SWORN to before me this 25th day of April, 2006.



  
NOTARY PUBLIC in and for Alaska  
My Commission Expires: 09-30-2006

Affidavit of Robert Wilkison  
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EXHIBITS 1  
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